

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

ORLANDO RODRÍGUEZ, et al

Plaintiffs

v.

CROWLEY TOWING & TRANSPORTATION
CO. AND SEAFARERS INTERNATIONAL
UNION

Defendants

CIVIL NO. 98-1548 (CCC)
Consolidated with
CIVIL NO. 97-2437 (CCC)

STIPULATION OF DISMISSAL WITH PREJUDICE

TO THE HONORABLE COURT:

COME NOW Plaintiffs, Angel Ortiz Angleró and Reinaldo Ilarraza Medina, and defendants Crowley Towing and Transportation Co. and the Seafarers International Union of North America, Atlantic, Gulf, Lakes and Island Waters District, AFL-CIO, through their undersigned attorneys, and pursuant to Federal Rule of Civil Procedure 41(a)(1)(ii) very respectfully state and pray as follows:

1. On January 11, 2005, the parties appeared in a Settlement Conference before Magistrate Judge Justo Arenas.
2. Ana Rosa Biascoechea, Esq. appeared on behalf of the Seafarers International Union and Raquel M. Dulzaides, Esq. on behalf of Crowley Towing & Transportation Co. and Luis Amaury Suárez, Esq. appeared on behalf of the four remaining plaintiffs, Angel Ortiz Angleró, Reinaldo Ilarraza, Luis Alvarez and Miguel Vázquez. J.H. Zidell appeared by telephone.

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3. J. H. Zidell, Esq. had filed on December 27, 2004 a motion titled "Plaintiffs' Notice of Conflict pursuant to October 4, 2004 Notice of Settlement Conference." In this Motion, counsel Zidell asked to be relieved from appearing because of a medical condition and leave to appear by telephone. Moreover, it also authorized Mr. Suárez Zayas to appear on behalf of his clients, Angel Ortiz, Reinaldo Ilarrraza, Luis Alvarez and Miguel Vázquez.

4. During the Conference, settlement was discussed and Mr. Zidell indicated he had no objection if counsel Mr. Suárez, among other matters, settled the case for the two (2) plaintiffs (Ilarrraza and Ortiz) that they both represent.

5. Shortly after the Settlement Conference, both Ortiz and Ilarrraza, through their attorney, Mr. Suárez, entered into settlement negotiations with defendants, which resulted in the settlement of their claims in Cases Nos. 98-1548 and 97-2437 (CCC).

6. Pursuant to the terms of said Agreement, Plaintiffs Ilazarraga and Ortiz request this Honorable Court to dismiss with prejudice the Complaints filed in the above captioned cases without the imposition of costs, expenses or attorneys fees.

7. Defendants hereby consent to Plaintiffs' request for dismissal with prejudice of the Complaints filed on their behalf in Cases Nos. 98-1548 and 97-2437 (CCC), without the imposition of costs, expenses or attorneys fees.

WHEREFORE, the parties respectfully request from this Honorable Court to dismiss with prejudice the Complaints in the present actions without the imposition of costs, expenses or attorneys fees.

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In San Juan, Puerto Rico, this 4th day of March, 2005.

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